

## REMARKS

Claims 1-13 are pending in the application and have been rejected. With this amendment claims 8, 9, 11, 12 and 13 have been cancelled and new claims 14-21 have been added. Amendments to the original pending claims have been made as detailed hereinabove.

The drawings have been objected to under 37 CFR 1.84(p)(4) as reference character "105" has been used to designate both a drive roller, see page 9, line 1, and axle ends, see page 10, line 3. Page 10, lines 3 and 10 have been amended to utilize reference character "106" to represent axle end as shown in at least FIGS. 3-4. FIGS. 5 and 6 have been corrected accordingly and are submitted herewith for approval by the Examiner. A red-marked copy of FIGS. 5 and 6 showing the corrections made are also attached as required.

The drawings have been further objected to under 37 CFR 1.84(p)(4) because reference character "11" has been used to designate both a "conventional mower", see page 11, line 4, and "cutting blades", see page 11, lines 8 and 10. In order to overcome this rejection, the first full paragraph on page 11 has been amended to have reference character "11A" refer to the "cutting blades" as illustrated in FIG. 8 and also referred to on line 7 of page 11.

The Examiner has requested that the legend "Prior Art" be added to FIGS. 8 and 9 as only that which is old is illustrated. In order to overcome the rejection, Applicant submits corrected FIGS. 8 and 9 having the appropriate legend added thereto.

Removal of the objection to the drawings is respectfully requested.

Claims 1-13 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 1, the Examiner

states that it is unclear whether the maintenance apparatus is actually part of the invention of the trailer or merely intended to be towed by the trailer. Claim 1 has been amended to clarify that the maintenance apparatus is merely intended to be towed by the trailer and not a structural limitation of the trailer, by utilizing the term "adapted" when referring to the maintenance apparatus.

Claims 10 and 11 recite the limitations "corresponding projections" and "the projections", and the Examiner states it is unclear whether the same are intended to be part of the claimed invention since the preamble is directed to a trailer and not the actual maintenance apparatus. As Applicant's invention in claims 10 and 14 is directed to a trailer, claim 10 has been amended to state that the member on the pivot frame is adapted for engagement with corresponding projections. The limitation of claim 11 has been added to claim 10 to clarify the projections of the maintenance apparatus being referred to, even though no maintenance apparatus is being claimed in the present invention.

Claim 13 has been cancelled and thus the 35 U.S.C. 112, second paragraph rejection has been rendered moot.

It is respectfully submitted that the claims are in compliance with 35 U.S.C. 112, second paragraph in view of the amendments indicated hereinabove.

Claims 1-11 and 13 have been rejected under 35 U.S.C. 102(b) as being anticipated by Parsen, U. S. Patent No. 3,764,031. Claim 12 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Parsen, U. S. Patent No. 3,764,031 in view of Eischen, U. S. Patent No. 4,813,841. The Examiner states that Parsen discloses a trailer including a trailer frame, a pivot frame pivotally attached to the trailer frame, and a connection means as claimed in the rejected claims. The Examiner states that although Parsen cannot teach a trailer comprising fluid actuated means between the pivot frame and trailer frame, Eischen discloses

such fluid actuated means, and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide fluid actuated means between the pivot frame and trailer frame on the Parsen trailer as taught by Eischen.

Applicant respectfully submits that the claims of the present invention cannot be taught or suggested by either of the cited references. Independent claim 1 has been amended to state that the trailer includes a fluid actuated means located between the pivot frame and the trailer frame, wherein an upper end of the fluid actuated means is pivotally attached to the pivot frame at a location above the pivot frame and wherein a lower end of the fluid actuated means is pivotally attached to the trailer frame intermediate the front end and rear end.

The Parsen reference does not include the fluid actuated means as agreed to by the Examiner in paragraph 15 on page 6, lines 1 and 2 of the Office Action. Moreover, the Eischen reference cannot teach wherein the fluid actuated means has both an upper end attached to the pivot frame at a location above the pivot frame, and also a lower end of the fluid actuated means attached to the trailer frame intermediate a front end and rear end as claimed in amended claim 1. These claimed features ensure that the fluid actuated means of the present invention functions as a safety feature which inhibits sudden pivotal movement of the pivot frame relative to the trailer frame, and also general lowering of the maintenance apparatus for unloading purposes when required. The hydraulic damper 33 of Eischen, although controlling the weight of towing vehicle bed 40 relative to trailer 10, because of its location of attachment to bed 40 and trailer 10 does so with much less efficiency. It is necessary in the present invention that because the maintenance apparatus is substantially clear of the pivot frame that the lowering be far more gentle than in Eischen. Accordingly, neither the Parsen nor the Eischen

references can teach the trailer claimed in independent claim 1 having the claimed limitations as described. Accordingly, it is respectfully submitted that claims 1-7 are in condition for allowance.

New claims 15-17 have been added as dependent claims referring to claim 1 and are directed to further embodiments.

Former dependent claims 8 and 9 have been cancelled. The subject matter of the cancelled claims has been incorporated into new independent claim 14 which claims a trailer including a trailer frame and a pivot frame pivotally attached to the trailer frame by pivot attachment means which are adapted to be attached to a maintenance apparatus in use, wherein the attachment means comprises a pair of opposed rigid coupling members on the pivot frame which are adapted to engage corresponding coupling members of the maintenance apparatus and wherein upon pivotal movement of the pivot frame relative to the trailer frame, the maintenance apparatus is elevated clear of the ground with a substantial part of the maintenance apparatus clear of the pivot frame. Neither Parsen nor Eischen, taken individually or in combination, can teach or suggest the claimed pair of opposed coupling members on the pivot frame adapted to engage with corresponding coupling members on the maintenance apparatus so that the apparatus is elevated clear of the ground with a substantial part of the maintenance apparatus clear of the pivot frame.

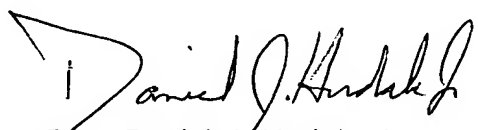
Newly submitted claims 18-21 also cannot be taught or suggested by either of the Parsen or Eischen references. Regarding claim 18, it is specifically claimed that an upper end of the fluid actuated means is pivotally attached to an upright support and to the pivot frames so that the upper end is located above the pivot frame. Moreover, it is claimed that the other end of the fluid actuated means is pivotally attached to the trailer frame intermediate the front end and rear end,

wherein in a non-operational position the pivot frame overlies the trailer frame, and the fluid actuated means is oriented obliquely to both the pivot frame and the trailer frame and inclined towards the rear end of the trailer frame so as to form an acute included angle between the fluid actuated means and the plane formed by the trailer frame. Independent claim 19 claims a trailer-maintenance apparatus combination. The specific attachment means as claimed cannot be taught or suggested by Parsen or Eischen. Dependent claims 20 and 21 further define the rigid coupling member and the projections of the maintenance apparatus.

In view of the above-noted amendments and arguments, it is respectfully submitted that the claims are in condition for allowance and a notice of such is earnestly solicited. Should the Examiner have any questions or comments regarding this response, a telephone call to the undersigned would be greatly appreciated.

Respectfully submitted,

**HUDAK, SHUNK & FARINE CO. LPA**

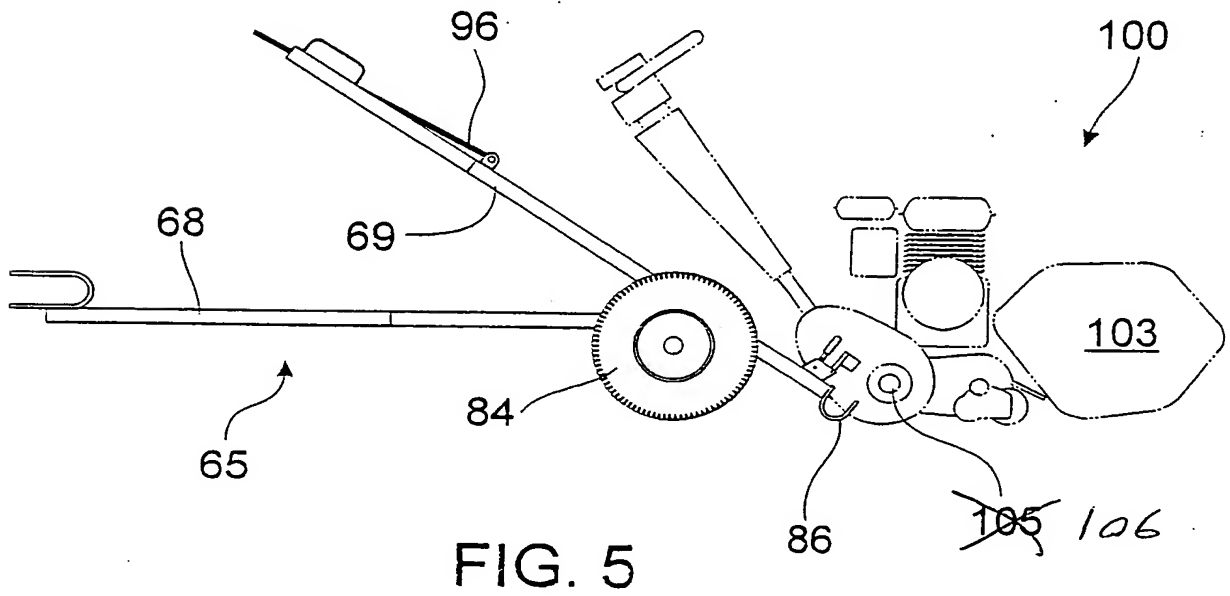
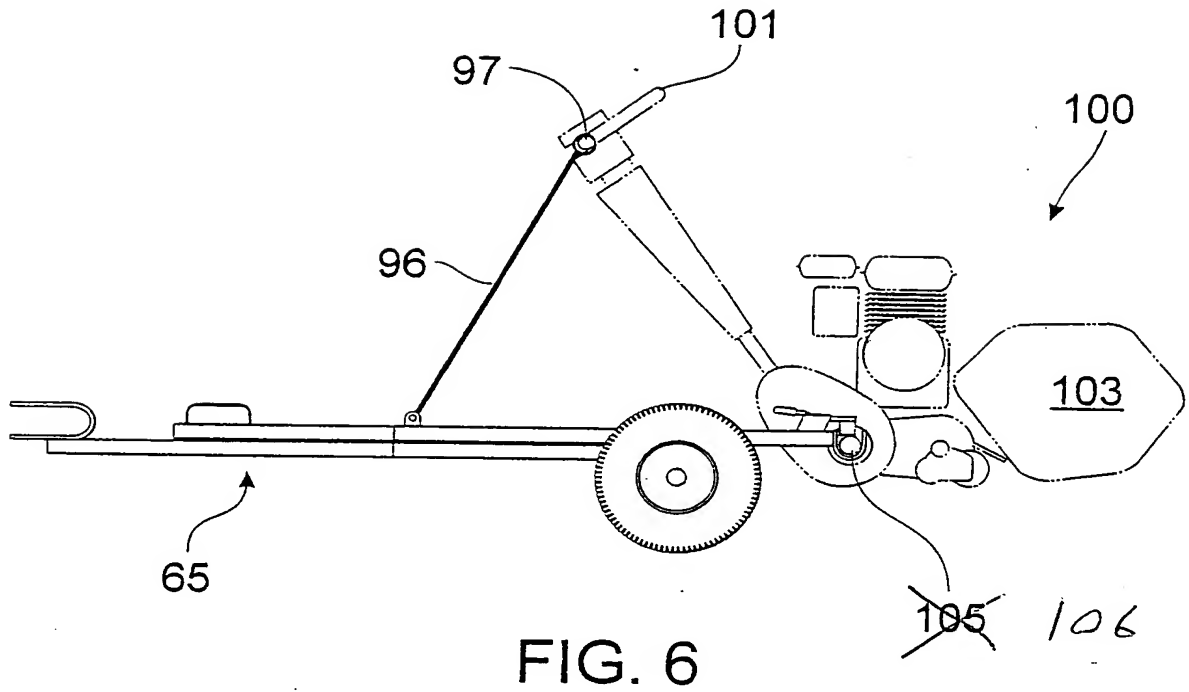
A handwritten signature in black ink, appearing to read "Daniel J. Hudak, Jr.", with a stylized, cursive script.

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